

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY , MAY 22 , 19 90

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday EVENING May 22 , 19 90 ,  
IN Regular SESSION. PRESIDENT Charles B. Redd  
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine , AND  
Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE  
FOLLOWING MEMBERS 7 VIZ:

BRADBURY <u>✓</u>	BURNS <u>✓</u>	EDMONDS <u>✓</u>
GiaQUINTA <u>✓</u>	HENRY <u>✓</u>	LONG <u>✓</u>
REDD <u>✓</u>	SCHMIDT <u>A</u>	TALARICO <u>A</u>

ABSENT: 2

COUNCILMEMBER: \_\_\_\_\_

THE MINUTES OF THE LAST REGULAR April 24 , 19 90 ,

SPECIAL \_\_\_\_\_ , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,  
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its Regular Session, held on 22nd day of May, 1990, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 25th day of May, 1990.

Sandra E. Kennedy  
City Clerk





# The City of Fort Wayne

24 April 1990

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
CityCounty Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

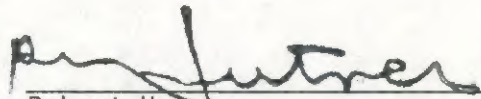
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-90-04-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
24th day of April 1990.

  
Robert Hutner  
Secretary

**FACT SHEET**

Z-90-04-08

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE****APPROVAL DEADLINE****REASON**

Zoning Ordinance Amendment

From B2A, R-1 &amp; B1B to B-2-C

**DETAILS**

<b>Specific Location and/or Address</b>  The southwest corner of E State and Coliseum Blvd.
<b>Reason for Project</b>  Enlargement and unification of two existing shopping centers.
<b>Discussion (Including relationship to other Council actions)</b>  <u>16 April 1990 - Public Hearing</u>  See Attached Minutes of Meeting  <u>23 April 1990 - Business Meeting</u>  Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.  Of the seven members present, six voted in favor of the motion, one did not vote. Motion carried.  NOTE: This is a planned shopping center development and any conditions will be placed on the development plans and not the rezoning.

**POSITIONS****RECOMMENDATIONS**

<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/ Proponents</b>	Applicant(s)  Chester Bowman City Department  Other
<b>Opponents</b>	<b>Groups or Individuals</b> Mary Gaskill, 3704 Forest Av Robert Stuck, 1725 Annette A  <b>Basis of Opposition</b> - detriment to property valu - would cause further commercial encroachment in area
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition
<b>CITY COUNCIL ACTIONS</b> (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass



**DETAILS**

**POLICY/ PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

**Project Start**

**Date** 15 March 1990

**Projected Completion or Occupancy**

**Date** 24 April 1990

**Fact Sheet Prepared by**

**Date** 24 April 1990

Patricia Biancaniello

**Reviewed by**

**Date** 4-25-90

*Larry Magliozi*

**Reference or Case Number**



Change of Zone #427  
From R-1, B-1-B & B-2-A to B-2-C  
The southwest corner of State and Coliseum Blvd.

#### Primary Development Plan for East State Shopping Center

Chester Bowman, petitioner appeared before the Commission. Mr. Bowman stated that they were requesting the rezoning in order to improve the area and provide a more uniform and orderly development for this shopping center. He stated that the property along Coliseum Blvd., is not really usable any longer for residential development and by rezoning these lots along Coliseum it would provide them with access from Coliseum and provide a better traffic flow. He stated that Mrs. Brandenburg requested that her property along the Southeast corner of the existing center be included in the rezoning. He stated that they would use this property not only to help with the expansion of the center but it would also be used as a buffer zone to the residential properties on Forest Avenue. He stated that they felt the best and highest use for these properties would be commercial. He felt this rezoning would be an asset to the area and city.

Phil Knapke, 610 Lincoln Bank Tower, stated that this is a two step process. He stated that they have filed a petition to rezone and a primary development plan. He stated that at the request of Mrs. Brandenburg and the staff of the Commission they have incorporated her property and the area which is presently known as Laverne Plaza into the requested zoning of B-2-C. He stated they have done so in order to make a more uniform plan for the whole area and to eliminate certain sections that would perhaps overlap other areas.

Wil Smith questioned if there is a possibility for residential growth in the areas presently zoned R-1 and have they identified the exact project that would be going into the newly zoned area.

Mr. Knapke stated that in his opinion no residential development would occur in the existing R-1 zoning classification due to its close proximity to the B2C district. He stated as far as what is proposed for the property south of the currently developed land they do have additional retail development planned. He stated that they do not have any set plans and that he generally did not submit that information until the secondary development plan is submitted.

Steve Smith stated that the primary development plan is basically what is presently existing.

Mr. Knapke stated that it is, but there is some additional construction. He stated that 7 of the structures presently exist. He stated that the new development already proposed is the construction of a new 57,000 sq. ft. supermarket as well as 9,000 sq. ft. drug store. He stated that they have also



negotiated with McDonald's to relocate them to the corner of State and Coliseum and then incorporate the existing McDonald's to some other use.

David Long questioned what they have planned to handle the drainage from this development.

Phil Knapke stated that in 1970 Mr. Bowman granted the city an easement for a large 54" storm sewer that was to service the Glenwood Park sewer problems. He stated that the initial findings are that the 54" storm sewer will handle the development as planned. He stated that with the expansion they feel they will probably have to grade some detention areas. He stated that is one of the reasons that they are requesting that Mrs. Brandenburg's property be incorporated into the rezoning. He stated that they feel that would be a natural area for the retention as well as for screening and mounding to segregate the development from the residential to the west.

The following people spoke in opposition to the proposed rezoning.

Mary Gaskill, 3704 Forest Av  
Robert Stuck, 1725 Annette Avenue  
Hilary Ferguson, 3625 Nevada Av  
Lorraine Wilson, 3805 Nevada Av

- property is now only partially development, none of the amenities promised with the original development, lighting, sewers, buffering have been completed,
- construction trailer has been setting on property for almost three years
- a storm sewer was put in and it is 30 foot deep with no lid on it and they had to have the school principal to get it capped
- they are causing erosion in the area because of the leveling of the land and the fact that there is no adequate drainage system in the area
- the lighting from the present development is causing glare to adjacent residents
- this development would cause property values to decline
- there have been new homes built in this area in the last two years and they feel it is going to continue to be a residential neighborhood
- they feel commercial development is taking over the area from all directions

Robert Hutner suggested that the neighbors meet with the developer prior to the business meeting and discuss the plans.

Chet Bowman stated in rebuttal that they were only aware of one person being in opposition to the project. He stated though that they are very willing to meet with the neighbors and discuss their plans.

Mr. Knapke stated that with the new areas rezoned they feel they would be able to move the development further to the west which would open up and create a better plan for the whole area.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning and primary development plan.

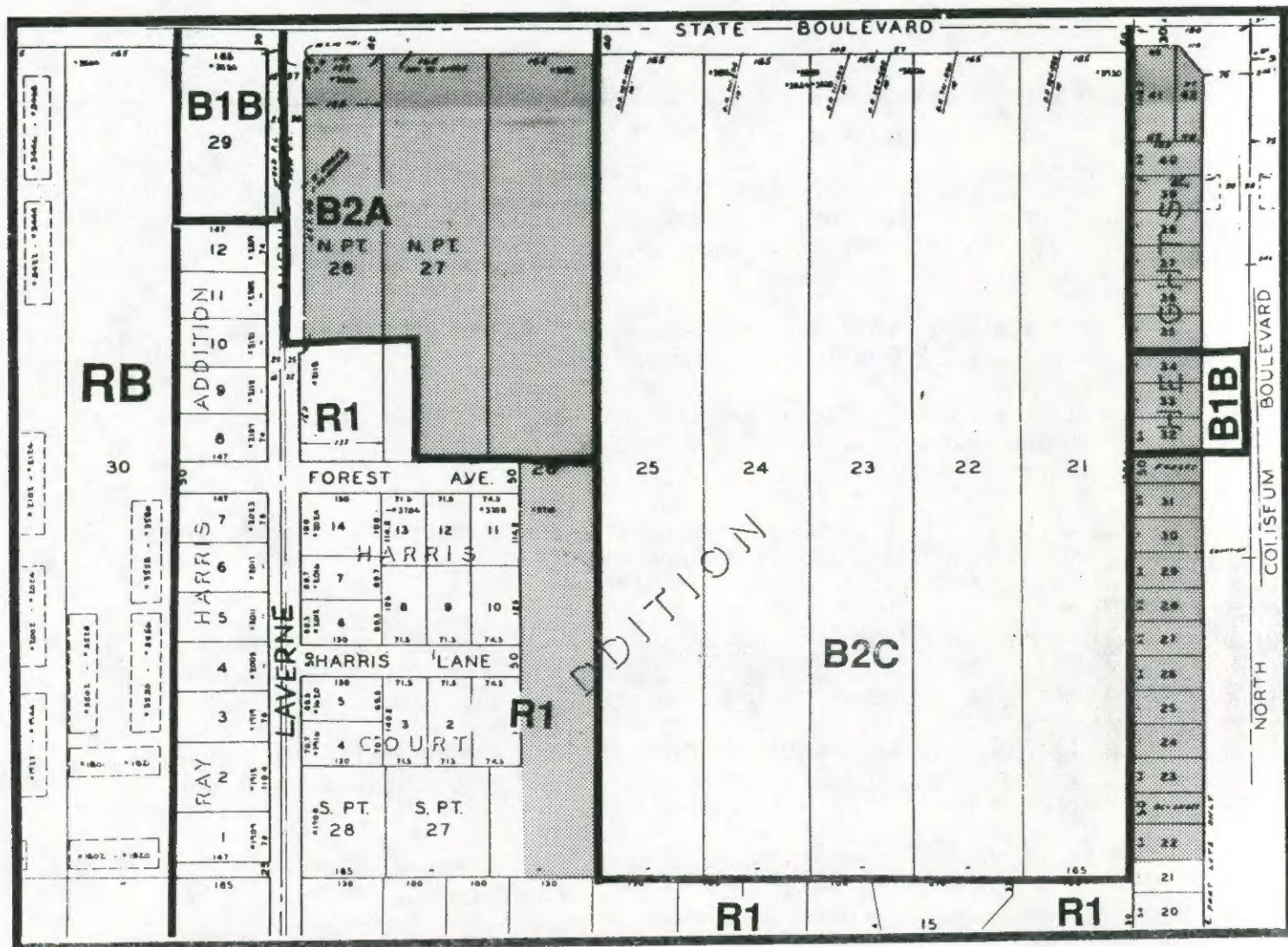


# REZONING PETITION #427

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R1, B1B & B2A DISTRICT TO A B2C DISTRICT.

MAP NO. R-14

COUNCILMANIC DISTRICT NO. 2



## ZONING:

R1 RESIDENTIAL DISTRICT

B1B LIMITED BUSINESS "B"

B2A NEIGHBRHD SHOPPING CENTER

## LAND USE:

- ☐ SINGLE FAMILY
- ☐ COMMERCIAL

LW

SCALE: 1"=250'

DATE: 3-22-90



## RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 10, 1990 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-90-04-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1990.


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1990.

Certified and signed this  
24th day of April 1990.

  
Robert Hutner  
Secretary



**Chester E. Bowman et al requests a change of zone from R-1, B-2-A and B-1-B to B-2-C.**

Location: The southwest corner of State and Coliseum Blvd.

Legal: See File

Land Area: Approximately 9.6 acres

Zoning: R-1, B-2-A and B-1-B

Surroundings:	North	R-1/B1B	School/Commercial
	South	R-1	Residential
	East	R-1/B1B	Open/Commercial
	West	R-1	Residential

Reason for Request: Enlargement and unification of two existing shopping centers.

Neighborhood Assoc.: Brentwood Park Association

Neighborhood Plan: No comment.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses, and should not establish an undesirable precedent in the area to be developed. The Goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. The rezoning of the land at the southwest corner of the parcels sets an undesirable precedent, as it takes the material buffer from single family units to the west and south. The rest of the proposal is consistent with the Plan.

Landscape: No comment.

**Planning Staff Discussion:**

The developer is seeking an expansion of the existing shopping center. This expansion would include land both to the east and west of the existing shopping center. The land to the east consists of undeveloped ground that is currently zoned either R-1 or B-1-B. The ground to the west is zoned either R-1 or B-2-A. Since part of the proposed expansion would be on ground that is currently located in another planned shopping center, it was suggested that the developer may want to look at a unification of the two centers into one larger development.

Both the LaVerne Plaza and the Bowman Center are currently existing planned shopping centers. The Bowman Center is zoned B-2-C and consists of multiple structures. The LaVerne Plaza is zoned B-2-A and primarily consists of two fast food restaurants, with adjacent open ground. Both centers include existing free standing signage that would not be permitted under the current sign ordinance. The pre-existing signage would be allowed to remain and could be converted for new users, but new developments would be required to meet the requirements of the sign ordinance.

Coliseum Boulevard is a limited access roadway and the potential for the individual lots to develop residentially is minimal. Including these lots in the existing planned shopping center would be a logical extension of the existing uses, and would subject development to Plan Commission review.

The property located to the southwest is currently zoned residential. As part of the development plan process, the Plan Commission has jurisdiction over how that area is developed. We are aware of the potential for a negative impact on the abutting residential area, but believe that proper landscaping and/or a combination of mounding can be used to protect the residential property values.

Recommendation: Conditional Approval, contingent upon the approval of the primary development plan.

1) Approval will not have a negative impact on the area, since the actual site development would be under the jurisdiction of the Plan Commission.

2) Approval would be consistent with the existing development in the area, and would in fact combine two existing planned shopping centers.





# The City of Fort Wayne

24 April 1990

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
CityCounty Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-90-03-25

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
24th day of April 1990.

A handwritten signature in black ink, appearing to read "Robert Hutner", is written over a horizontal line.

Robert Hutner  
Secretary

**FACT SHEET**

Z-90-03-25

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE** **APPROVAL DEADLINE** **REASON**

Zoning Ordinance Amendment

From RA to B-1-B

**DETAILS**

<b>Specific Location and/or Address</b>  3400 Block of St Joe Center Road
<b>Reason for Project</b>  Handy Dandy Convenience Store
<b>Discussion (Including relationship to other Council actions)</b>  <u>16 April 1990 - Public Hearing</u>  See Attached Minutes of Meeting  <u>23 April 1990 - Business Meeting</u>  Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.  Of the seven members present, five voted in favor of the motion, one voted against the motion and one did not vote.  Motion carried.

**POSITIONS****RECOMMENDATIONS**

<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/Proponents</b>	Applicant(s) J&J Realty Corp City Department  Other
<b>Opponents</b>	Groups or Individuals Gerald Walker, 3736 Knollcrest Edwin Brindle, 3742 North Creek Dr <b>Basis of Opposition</b> -area did not need another service station -would generate more traffic into heavily congested area
<b>Staff Recommendation</b>	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against  <b>Reason Against</b> -could lead to lowering of property values in area -not consistent zoning for area to the north or east
<b>Board or Commission Recommendation</b>	By <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
<b>CITY COUNCIL ACTIONS</b> (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass



**DETAILS**

**POLICY / PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

**Project Start**

**Date** 15 February 1990

**Projected Completion or Occupancy**

**Date** 24 April 1990

**Fact Sheet Prepared by**

**Date** 24 April 1990

Patricia Biancaniello

**Reviewed by**

**Date** 4-25-90

*Kenny Maglio 38*

**Reference or Case Number**

Bill No. Z-90-03-25 - Change of Zone #422

From RA to B-1-B

3400 Block of St Joe Center Road

**This case was deferred at the request of the petitioner from the March 19, 1990 Public Hearing.**

Jon Bomberger, attorney for the petitioners appeared before the Commission. Mr. Bomberger stated that the parcel is surrounded on three sides by B-3-B zoning and that surrounding property is occupied by a mini-warehouse development. He stated that instead of asking for a B-3-B zoning they are asking only for the zoning necessary for the use they want to develop, a B-1-B zoning. He stated this is a lesser zoning and allows for less intense uses than the B-3-B. He stated that they wish to establish a Lassus Handy Dandy Gas Station and Convenience Store. He stated that they believe that this particular use is the highest and best use for this property. He stated that the existing RA designation on this property is no longer a possible use of this property. He stated that the intent is to use the tract for a limited business classification. He stated because of the type of use and the limited size of the business it would serve the existing traffic and not generate additional new traffic. Mr. Bomberger stated that there is an existing tree line along the eastern border of the property which they intend to maintain as a buffer from the residential properties to the east. He stated that they are trying to zone this property to its highest and best use and still utilize the least intensive classification. He stated that the size of the parcel does not allow for a very high intensive use, it is less than 1 acre.

David Long questioned that since the staff has recommended Do Not Pass on this petition had there been any other uses suggested for this parcel.

Mr. Bomberger stated that one was a planned office district, but he felt the size of the lot would not accommodate an office district.

Neal Kobi, one of the owners of the mini-warehouse project which surrounds the property on three sides spoke in support of the proposed rezoning.

Gerald Walker, 3736 Knollcrest Road, appeared before the Commission in opposition to the proposed rezoning. Mr. Walker presented the Commission with a petition containing 95 signatures in opposition to the proposed rezoning.

Edwin Brindle, 3742 North Creek Drive, appeared in opposition to the proposed rezoning.

The opposition was opposed to the use stating they did not feel there was a need for another gas station in the area and that it would generate more traffic into an area that already is heavily congested. They also did not feel the area could support another



gas station. They felt a professional office would be a better use for the location.

In rebuttal Mr. Bomberger stated that the reason that they filed the petition to rezone is that they feel they can justify the development. He stated further that they would be more than happy to meet with the Sunny Meadow Neighborhood Association and explain their plans to them. He stated when this was initially filed they could not locate the neighborhood association in the area.

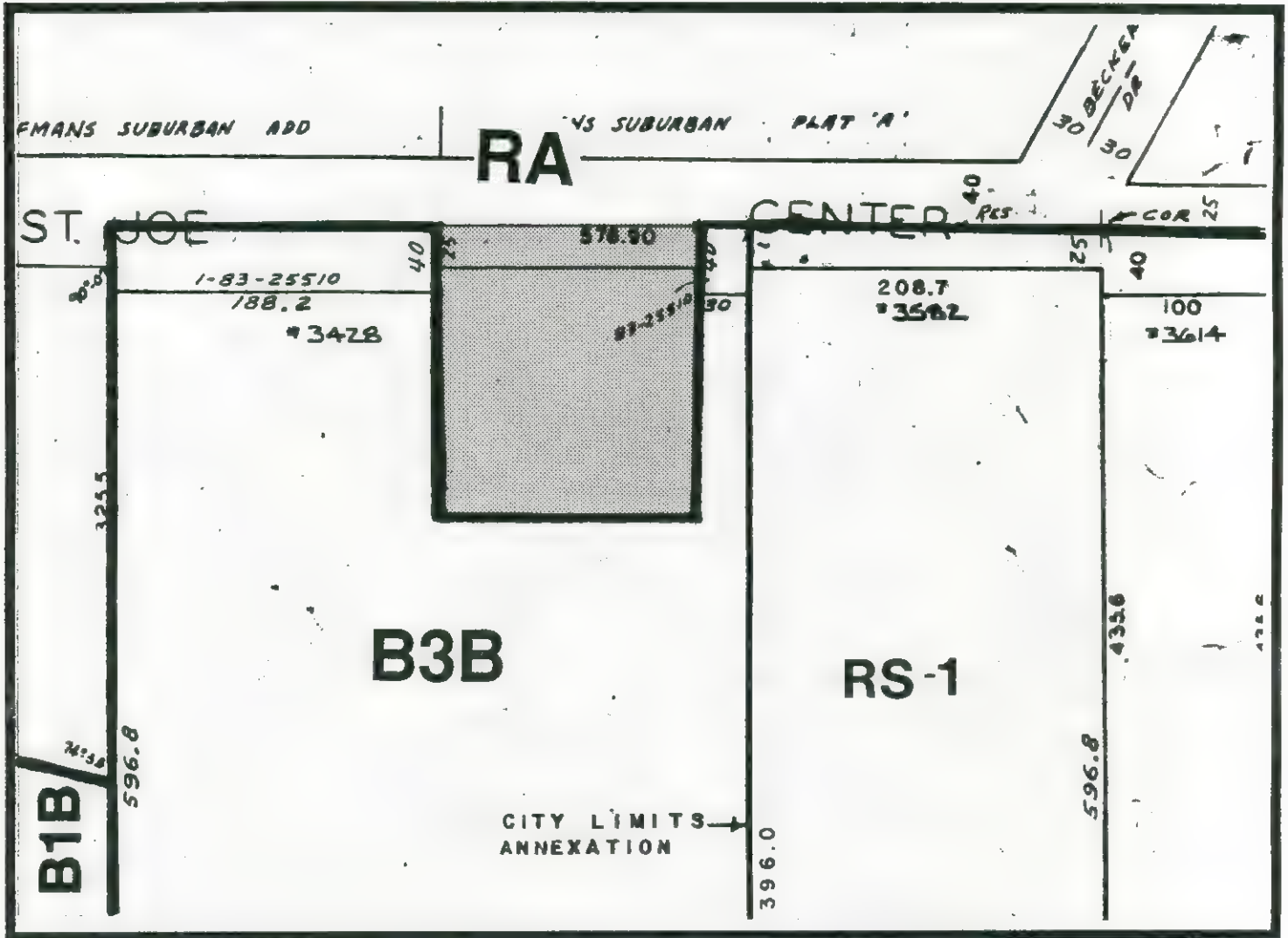
There was no one else present who wished to speak in favor of or in opposition to the proposed zoning.

## REZONING PETITION #432

**A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A RA DISTRICT TO A B1B DISTRICT.**

MAP NO. R-34

## COUNCILMANIC DISTRICT NO. 2



## ZONING:

**B3B GENERAL BUSINESS "B"**

RA RESIDENCE "A"

**B1B LIMITED BUSINESS "B"**

**LAND USE:**

☐ **COMMERCIAL**☐ SINGLE FAMILY

**SCALE: 1"=100'**

**DATE: 3-6-90**





## RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 27, 1990 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-90-03-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1990.


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 23, 1990.

Certified and signed this  
24th day of April 1990.



Robert Hutner  
Secretary

Jon A. Bomberger, attorney for J & J Realty, request a change of zone from RA to B-1-B.

Location: 3400 block of St. Joe Center Road

Legal: Metes & Bounds (See file)

Land Area: Approximately 0.58 acres

Zoning: RA

Surroundings:

North	RA	Residential
South	B3B	Mini-Warehouses
East	B3B/County	Residential
West	B3B	Mini-Warehouses

Reason for Request: A Handy Dandy store

Neighborhood Assoc.: Parkview Addition Association

Neighborhood Plan: No comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Northeast Sector, where this request is located, is to maintain a balanced development pattern within the urban service area. Continued commercial development along this section of St. Joe Center Road is not consistent with the Comprehensive Plan.

Landscape: No comment

Planning Staff Discussion:

This parcel is located just east of the Parker Cemetery and the intersections of St. Joe and St. Joe Center Roads. There is a mini-warehouse development immediately east and south of this site.

This parcel is surrounded on three sides by a B-3-B designation, with residential uses to the north and east. In 1976, when this area was annexed, the mini-warehouse site was zoned commercially and this parcel was designated residential. In 1982 the parcel that surrounds this site was rezoned from B-1-A to B-3-B. The Board of Zoning Appeals granted a variance for the mini-warehouse, and development of that site took place soon after.



Rezoning petitions are evaluated against a criteria that includes impact on property values, the Comprehensive Plan, the current character and condition of uses and structures in the area, and the principles of responsible development and growth.

The Comprehensive Plan indicates commercial uses at the western leg of the intersection, with medium density residential uses extending to the east. While the mini-warehouse development is located to the west and south, the north and east sides abut residential uses, most of which are single family. An additional concern in this area relates to traffic flow and potential conflicts. While recent improvements were made at the intersection and north and south on St. Joe Road, improvements were not made east of the intersection. That unfortunately results in high traffic volumes on a lower capacity street. Encouraging commercial growth or development along the east leg would result in an amplification of potential traffic conflicts.

Based on the evaluation criteria, we believe that approval would not be warranted at this time. The requested B-1-B designation is a limited business classification that permits approximately ninety uses. Many of those use could encourage additional traffic generation, and lead to increased traffic conflict potential.

Recommendation: Do Not Pass. for the following reasons:

- 1) Approval would not be consistent with existing development to the north or the east.
- 2) Approval could lead to a lowering of property values, and add to traffic congestion and potential conflicts.



# The City of Fort Wayne

24 April 1990

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated drainage easements.

The proposed ordinance is designated as:

BILL NO. G-90-04-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
24th day of April 1990.

A handwritten signature in black ink, appearing to read "R. Hutner", is written over a horizontal line.

Robert Hutner  
Secretary



**FACT SHEET**

G-90-04-09

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**

Drainage Easement Vacations

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

Easements are located in Congressional Industrial Park

**Reason for Project**

Relocation of existing detention ponds.

**Discussion (Including relationship to other Council actions)**

16 April 1990 - Public Hearing

Duane Embury, representing Ron Huguenard, appeared before the Commission. Mr. Embury stated that they wish to vacate the existing detention pond easements. He stated that they have made a deal with the Centennial Industrial Park developer to divert their storm water through their pond and make one major pond within the area.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

23 April 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven members present, six voted for the motion one did not vote. Motion carried.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**

Ron Huguenard  
City Department

Other

**Opponents**

Groups or Individuals

Basis of Opposition

**Staff  
Recommendation**

☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to condition  
(See Details column for condition)

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass

**DETAILS**

**POLICY/ PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

**Project Start**

**Date** 14 February 1990

**Projected Completion or Occupancy**

**Date** 24 April 1990

**Fact Sheet Prepared by**  
Patricia Biancaniello

**Date** 24 April 1990

**Reviewed by**

**Date** 4-26-90

*Amy Maglio*  
**Reference or Case Number**

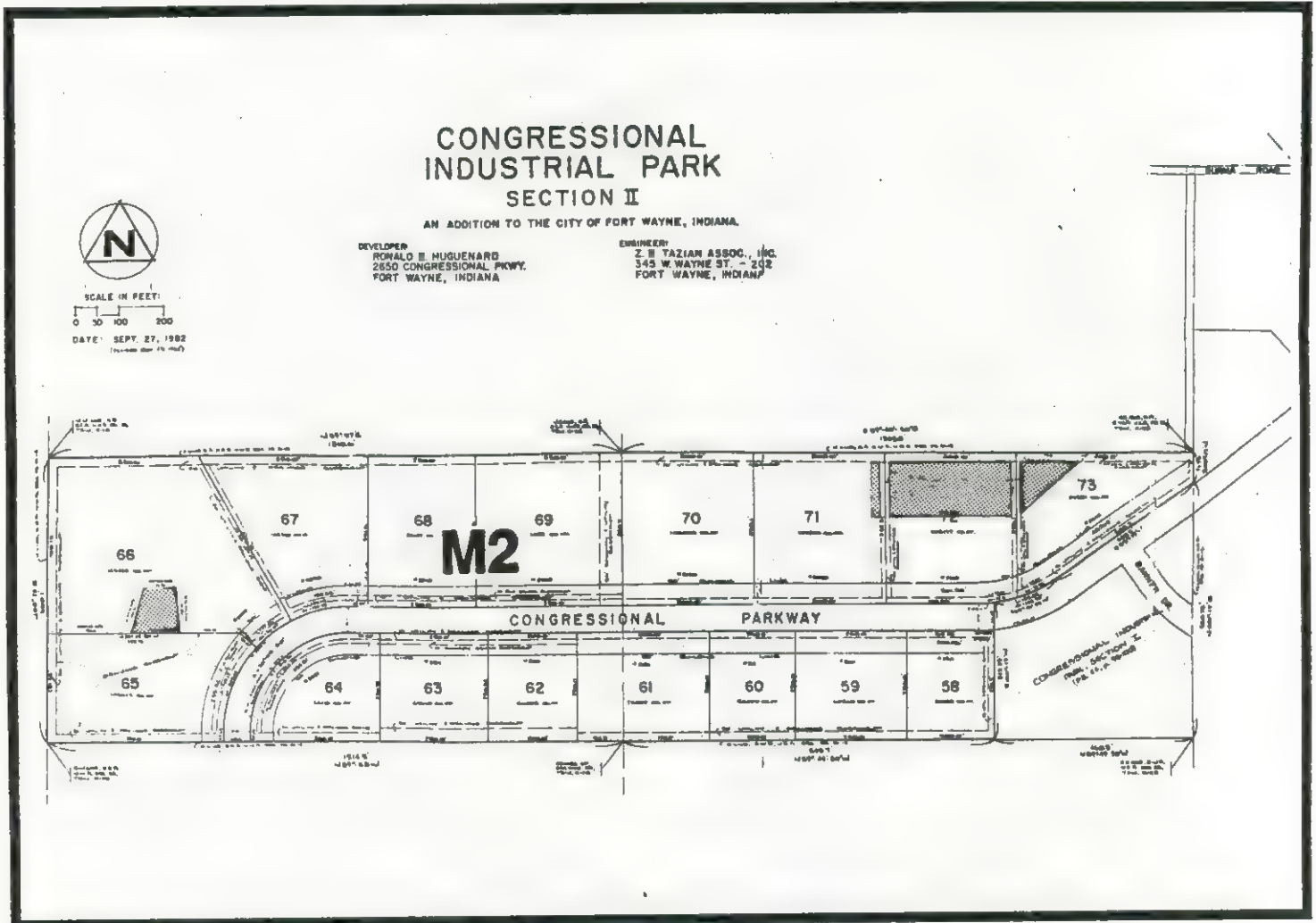


# VACATION PETITION #425

A PETITION TO VACATE THE DESCRIBED DRAINAGE EASEMENTS.

MAP NO. I, H-26

COUNCILMANIC DISTRICT NO. 3



**ZONING:**

*M2 GENERAL INDUSTRIAL*

**LAND USE:**



COMMERCIAL

**SCALE: NTS**

**DATE: 3-6-90**



C. Duane Embury, agent for Ron L. Huguenard, C - P Development Inc. and John McKinney, request the vacation of two detention pond easements.

Location: Both easements are located in Congressional Industrial Park Section II.

Legal: See file

Land Area: Approximately 1.2 acres total

Zoning: This subdivision is zoned M-1.

Surroundings:	North	RA/M1	Residential/Industrial
	South	M-1	Industrial
	East	M-1	Industrial
	West	M1/M2	Industrial

Reason for Request: Relocation of existing detention ponds.

Neighborhood Assoc.: Bass-Leesburg Civic Association

Neighborhood Plan: No comment

Comprehensive Plan: No comment

Landscape: No comment

Planning Staff Discussion:

The petitioners state that due to an improved drainage design, these detention ponds are no longer needed. The petition to vacate would allow reuse of the land for industrial proposes, and would not cause a problem with drainage concerns.

The petition would not vacate the easements located along the north property lines of lots 71, 72 and 73, nor the easements between lots 71 and 72 or lots 72 and 73.

Further the petitioner states that per a prior agreement with Indiana Michigan Power Company, that they (Indiana Michigan) will relocate their lines at their own expense.

We have no objections to the vacation, providing that the petitioner would provide any new easements or utility relocations that are required (subject to prior agreements).

Recommendation: Conditional Approval, contingent upon the petitioner providing for any new easements or utility relocations that may be required (subject to prior agreements).

- 1) Approval will not have an adverse impact on property values.
- 2) Neither easement appears to be necessary due to a change in the drainage conditions of the area.



RESOLUTION 78-215-5

WHEREAS, RON HUGUENARD has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated drainage easements situated in Fort Wayne, Allen County, to-wit:

The following described drainage easement to be vacated affecting said Lot 66 of Congressional Industrial Park Section II as recorded in PB 45 Pages 26-29 more particularly described as follows:

Commencing at the Southwest corner of Lot 66; thence Easterly along the line of Lot 66 on a bearing of South 89 degrees 49 minutes 30 seconds East 190.0 feet to the Point of Beginning; thence North 15 degrees 10 minutes 30 seconds East 108.7 feet; thence South 89 degrees 49 minutes 30 seconds East 76.36 feet; thence South 02 degrees 49 minutes 30 seconds East 105.14 feet to the South line of said Lot 66; thence North 89 degrees 49 minutes 30 seconds West 110.0 feet to the Point of Beginning.

The following described easement to be vacated affecting Lots #71, 72 and 73 of said Congressional Industrial Park Section II more particularly described as follows:

Beginning at a point located 30 feet West of and 20 feet South of the Northeast corner of Lot #71; thence Southerly parallel with and 30 feet west of east line of said Lot 71 130 feet; thence East 30 feet to the east property line of said Lot 71 at a point situated 150 feet South of the northeast corner of said lot, said lot being contiguous to Lot 72; thence continuing East parallel with and 150 feet south of the north property line of Lot 72 to the east lien of said lot, said lot being contiguous to Lot 73; thence Northeast within Lot 73 to a point situated 150 feet east and 20 feet south of the northwest corner of said lot 73; thence west parallel with and 20 feet south of the north line of said lots 73, 72, 71 a distance of 480 feet to the point of beginning.

Said described to be vacated easements do not include the following.

- (a) the North 20 feet of Lots 71-73 inclusive;
- (b) A 20 foot in uniform width easement centerline over the common line of Lots 71 and 72 and also the centerline of a 20 foot easement centerline over the Lot lines of 72 and 73.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated drainage easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, and the Park Board.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated drainage easements hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated drainage easements hereinbefore described be and the same is hereby approved subject to

STATE OF INDIANA) )  
COUNTY OF ALLEN ) SS:

DATED THIS 25<sup>th</sup> DAY OF April, 1990

Charles E. Layton  
Director of Public Works

Douglas M. Lehman  
Director of Administration & Finance

## RESOLUTION

WHEREAS, RON HUGUENARD has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated drainage easements situated in Fort Wayne, Allen County, to-wit:

The following described drainage easement to be vacated affecting said Lot 66 of Congressional Industrial Park Section II as recorded in PB 45 Pages 26-29 more particularly described as follows:

Commencing at the Southwest corner of Lot 66; thence Easterly along the line of Lot 66 on a bearing of South 89 degrees 49 minutes 30 seconds East 190.0 feet to the Point of Beginning; thence North 15 degrees 10 minutes 30 seconds East 108.7 feet; thence South 89 degrees 49 minutes 30 seconds East 76.36 feet; thence South 02 degrees 49 minutes 30 seconds East 105.14 feet to the South line of said Lot 66; thence North 89 degrees 49 minutes 30 seconds West 110.0 feet to the Point of Beginning.

The following described easement to be vacated affecting Lots #71, 72 and 73 of said Congressional Industrial Park Section II more particularly described as follows:

Beginning at a point located 30 feet West of and 20 feet South of the Northeast corner of Lot #71; thence Southerly parallel with and 30 feet west of east line of said Lot 71 130 feet; thence East 30 feet to the east property line of said Lot 71 at a point situated 150 feet South of the northeast corner of said lot, said lot being contiguous to Lot 72; thence continuing East parallel with and 150 feet south of the north property line of Lot 72 to the east lien of said lot, said lot being contiguous to Lot 73; thence Northeast within Lot 73 to a point situated 150 feet east and 20 feet south of the northwest corner of said lot 73; thence west parallel with and 20 feet south of the north line of said lots 73, 72, 71 a distance of 480 feet to the point of beginning.

Said described to be vacated easements do not include the following.

- (a) the North 20 feet of Lots 71-73 inclusive;
- (b) A 20 foot in uniform width easement centerline over the common line of Lots 71 and 72 and also the centerline of a 20 foot easement centerline over the Lot lines of 72 and 73.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on April 16, 1990 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated drainage easements.

WHEREAS, said vacation of dedicated drainage easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, and the Park Board.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated drainage easements hereinbefore described conforms to the general policy



  
Robert Hutner  
Secretary

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers:

48/90/E, 49/90/E, 50/90/E, 51/90/E, 52/90/E,  
53/90/E, and 54/90/E

For the purpose of enforcement, please make this  
communication and the attached Regulatory Resolutions a  
matter of record and incorporate them into the minutes of the  
next Common Council Meeting.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Michael McAuliffe". The signature is fluid and cursive, with the first name "Michael" and last name "McAuliffe" clearly distinguishable.

Chairman, Board of Safety

R E T U R N   C E R T I F I C A T E

Regulatory Resolution No. 48/90/E, 49/90/E, 50/90/E  
51/90/E, 52/90/E, 53/90/E and 54/90/E

I hereby certify that I did this 30th day of April, 1990 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. SEE ABOVE of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, 1986.

A handwritten signature in dark ink, appearing to read "Michael McAuliffe", is written over a horizontal line.

CHAIRMAN, Board of Safety



REGULATORY RESOLUTION NO. 48/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

NO PARKING \_\_\_\_\_ (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING \_\_\_\_\_ (EMERGENCY)

Calhoun Street --west side--	from Fourth Street to Fifth Street
Calhoun Street --east side--	from 60 ft. north of Fifth Street to Sixth Street
Fifth Street --south side--	from Calhoun Street to the first alley west thereof
Sixth Street --both sides--	from Calhoun Street to Harrison Street

REGULATORY RESOLUTION NO. 49/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

STOP INTERSECTION \_\_\_\_\_ (EMERGENCY)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION \_\_\_\_\_ (EMERGENCY)

Harrison Street --stop--

for Fourth Street

REGULATORY RESOLUTION NO. 50/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

NO PARKING 7 AM TO 11 AM (EMERGENCY)  
(TEMPORARY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING 7 AM TO 11 AM (EMERGENCY)  
(TEMPORARY)

Bowser Avenue --east side-- from Pontiac Street to 90' north thereof

Bowser Avenue --west side-- from Pontiac Street to 200' north thereof



REGULATORY RESOLUTION NO. 51/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_.i and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Harvester Avenue --stop--

for Holly Avenue

REGULATORY RESOLUTION NO. 52/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

IMPAIRED MOBILITY PARKING (EMERGENCY)  
(RESIDENTIAL)

\_\_\_\_\_; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (EMERGENCY)  
(RESIDENTIAL)

631 Second Street --south side--

from 40' east of  
Clark Street to 20'  
east thereof

REGULATORY RESOLUTION NO. 53/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

THRU STREET \_\_\_\_\_ (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET \_\_\_\_\_ (EMERGENCY)

Butler Road

from Goshen Avenue to Hillegas Road except at Goshen Avenue and Hillegas Road



REGULATORY RESOLUTION NO. 54/90/E

(Adopted April 25, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to

IMPAIRED MOBILITY PARKING (EMERGENCY)  
(RESIDENTIAL)

; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 23, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 25, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (EMERGENCY)  
(RESIDENTIAL)

2529 Bowser Avenue --east side-- from 55' north of Woodbine Place to 20' north thereof

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers:

55/90/D and 56/90/E

For the purpose of enforcement, please make this  
communication and the attached Regulatory Resolutions a  
matter of record and incorporate them into the minutes of the  
next Common Council Meeting.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Michael J. Murphy". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Chairman, Board of Safety

R E T U R N   C E R T I F I C A T E

Regulatory Resolution No. 55/90D and 56/90/E

I hereby certify that I did this 4th day of May, 1990 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. SEE ABOVE of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, 1986.

A handwritten signature in dark ink, appearing to read "Michael J. O'Neil", is written over a horizontal line.

CHAIRMAN, Board of Safety



REGULATORY RESOLUTION NO. 55/90/D

(Adopted May 2, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

PREFERENTIAL INTERSECTION (DELEGATED)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 30, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 2, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Ardis Street --preferential-- at Corline Street

REGULATORY RESOLUTION NO. 56/90/E

(Adopted May 2, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

DELETE: \_\_\_\_\_

STOP INTERSECTION \_\_\_\_\_ (EMERGENCY) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 30, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 2, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: \_\_\_\_\_

STOP INTERSECTION --stop-- at Ardis Street

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers:

57/90/E and 58/90/E

For the purpose of enforcement, please make this  
communication and the attached Regulatory Resolutions a  
matter of record and incorporate them into the minutes of the  
next Common Council Meeting.

Respectfully Submitted,

  
Chairman, Board of Safety



R E T U R N   C E R T I F I C A T E

Regulatory Resolution No. 57/90E and 58/90/E

I hereby certify that I did this 18th day of May, 1990 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. SEE ABOVE of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, 1986.

A handwritten signature in dark ink, appearing to read "Michael McAuliffe", is written over a horizontal line.

CHAIRMAN, Board of Safety

REGULATORY RESOLUTION NO. 57/90/E

(Adopted May 16, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to \_\_\_\_\_

STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 7, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 16, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Lahmeyer Street --stop-- for Winter Street



REGULATORY RESOLUTION NO. 58/90/E

(Adopted May 16, 1990)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to

DELETE:

IMPAIRED MOBILITY PARKING (EMERGENCY)

; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 7, 1990, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

May 16, 1990, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

IMPAIRED MOBILITY PARKING (EMERGENCY)

City-County Building

from 486' north of  
Main Street and 197'  
east of Calhoun  
Street  
(two parking stalls)